

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

\$116,780.00 IN UNITED STATES
CURRENCY

Defendant.

CIVIL NO. 06-2732 (JNE/JJG)

**REPORT AND
RECOMMENDATION**

This litigation comes to the attention of the undersigned on the plaintiff's Complaint for Forfeiture in Rem Against \$116, 780.00 in United States Currency (Doc. No. 1). The government is represented by James S. Alexander, Assistant United States Attorney. Huan Nguyen ("Nguyen"), the claimant, is represented by William L. Walker, Jr., Esq.

The complaint was filed on June 29, 2006. On June 20, 2007, the parties filed a Joint Motion and Stipulation for Stay of Civil Proceedings (Doc. No. 20), seeking to have this matter stayed pending the resolution of criminal matters pending against Nguyen in the Western District of Wisconsin, United States of America v Huan Nguyen, Case No. 07-CR-045-S ("Wisconsin matter"). On June 21, 2007, this Court issued an order staying the case (Doc. No. 21).

On July 31, 2007, Nguyen entered into a plea agreement in the Wisconsin matter (W.D. Wisc. Doc. No. 42). On August 30, 2007, a motion for preliminary order of forfeiture (W.D. Wisc. Doc. No. 45) was filed and an order granting that motion was filed on August 31, 2007 (W.D. Wisc. Doc. No. 46). A Judgment and Commitment was issued on October 17, 2007 and an Amended Judgment and Commitment was issued on October 19, 2007

(W.D. Wisc. Doc. Nos. 54 and 55, respectively). On October 22, 2007, a motion for final order of forfeiture (W.D. Wisc. Doc. No. 60) and an order granting that motion was filed on October 23, 2007 (W.D. Wisc. Doc. No. 61).

To date, no motion for dismissal or stipulation to dismiss has been filed by either of the parties. Based on the determinations of the Court in the Western District of Wisconsin, there are no remaining issues in this matter to be resolved.

Being duly advised of all the files, records, and proceedings herein, **IT IS HEREBY RECOMMENDED THAT:**

1. All claims in this matter be **DISMISSED WITH PREJUDICE** and judgment entered.

Dated this 14th day of March, 2008.

s/ Jeanne J. Graham

JEANNE J. GRAHAM

United States Magistrate Judge

NOTICE

Pursuant to Local Rule 72.2(b), any party may object to this report and recommendation by filing and serving specific, written objections by **April 1, 2008**. A party may respond to the objections within ten days after service thereof. Any objections or responses filed under this rule shall not exceed 3,500 words. The district court judge shall make a de novo determination of those portions to which objection is made. Failure to comply with this procedure shall forfeit review in the United States Court of Appeals for the Eighth Circuit. Unless the parties are prepared to stipulate that the District Court is not required by 28 U.S.C. § 636 to review a transcript of the hearing in order to resolve objections made to this report and recommendation, the party making the objections shall timely order and cause to be filed within ten days a complete transcript of the hearing.